

Introduced by Senator Walters

February 18, 2011

An act to amend Section 8484.3 of the Education Code, and to amend Sections 1596.793 and 18897 of, and to add Sections 18897.8 and 18897.9 to, the Health and Safety Code, relating to organized camps.

LEGISLATIVE COUNSEL'S DIGEST

SB 737, as introduced, Walters. Organized camps.

(1) Existing law permits a participating program operated by a city, county, or nonprofit organization in the After School Learning and Safe Neighborhoods Partnership Program to operate for up to 30 hours per week without obtaining a license or special permit otherwise required under existing law.

This bill would increase the authorization to 60 hours per week.

(2) Existing law regulates the licensure and administration of day care centers and family day care centers and exempts specified recreation programs conducted for children from these regulations.

The bill would expand the scope of this exemption.

(3) Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

The bill would modify the definition of the term "organized camp." The bill would define the term "organized day camp" and require an organized day camp to develop an operating plan and file the plan with the local health officer. The bill would require the officer to acknowledge receipt of the plan within 30 days. By imposing a new duty on local public health officials, the bill would impose a state-mandated local program. The bill would also require an organized day camp to comply with new procedures in order to maintain its exempt status from specified sales and use taxes.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8484.3 of the Education Code is amended
2 to read:

3 8484.3. (a) Programs established pursuant to this article shall
4 not be required to comply with the requirements of other provisions
5 of this chapter or requirements set forth in Chapter 19 of Division
6 1 of Title 5 of the California Code of Regulations.

7 (b) Notwithstanding any other provision of law or regulation,
8 a program operated by a city, county, or nonprofit organization
9 pursuant to this article may operate for up to ~~30~~ 60 hours per week
10 without obtaining a license or special permit under Chapter 3.4
11 (commencing with Section 1596.70) or Chapter 3.5 (commencing
12 with Section 1596.90) of Division 2 of the Health and Safety Code.

13 SEC. 2. Section 1596.793 of the Health and Safety Code is
14 amended to read:

15 1596.793. This chapter and Chapters 3.5 (commencing with
16 Section 1596.90) and 3.6 (commencing with Section 1597.30) do
17 not apply to recreation programs conducted for children by the
18 YMCA, Girl Scouts, Boy Scouts, Boys ~~Club~~, Girls ~~Club~~, or ~~Camp~~
19 ~~Fire~~, and Girls Clubs, Camp Fire, Inc., organized camps, organized
20 day camps, or similar organizations ~~as determined by regulations~~
21 ~~of the department.~~ Child. Nonprofit organizations, organized
22 camps, businesses or schools that offer instruction in martial arts,
23 dance, music, fitness, gymnastics, swimming, or similar activities
24 are also exempt from childcare licensure. If child day care
25 programs are conducted by these organizations and the fees are
26 charged for that specific purpose they are subject to the
27 requirements of this chapter, Chapter 3.5 (commencing with

1 Section 1596.90), and Chapter 3.6 (commencing with Section
2 1597.30).

3 SEC. 3. Section 18897 of the Health and Safety Code is
4 amended to read:

5 18897. (a) (1) “Organized camp” means a site with program
6 and facilities established for the primary purposes of providing an
7 outdoor group living experience with social, spiritual, educational,
8 or recreational objectives, for five days or more during one or more
9 seasons of the year. *Camps accredited or operated by organizations*
10 *including, but not limited to, the YMCA, Girl Scouts of the USA,*
11 *Boy Scouts of America, Camp Fire USA, Boys and Girls Clubs,*
12 *Salvation Army, and Christian camps, shall be considered*
13 *prototypes of an organized camp.*

14 (2) “Organized day camp” means a program serving schoolage
15 children between 4 to 17 years of age, inclusive, which operates
16 seasonally during times when school is not regularly in session.
17 An organized day camp focuses on group-based recreation and
18 expanded learning opportunities with social, spiritual, educational,
19 or recreational objectives. An organized day camp does not
20 typically provide for overnight stays and frequently transports
21 campers to parks, beaches, camp sites, and other excursion
22 locations for activities. A qualified program director and a staff
23 adequate to carry out the program shall be present at the organized
24 day camp.

25 (3) Membership in any of the following organizations shall also
26 be indicative of status as an “organized camp” or “organized day
27 camp” for purposes of this section:

28 (A) The American Camp Association.

29 (B) The Association for Environmental and Outdoor Recreation.

30 (C) Christian Camp and Conference Association.

31 (D) Western Association of Independent Camps.

32 (E) Other similar camping associations.

33 (b) The term “organized camp” ~~does~~ and “organized day
34 camp” do not include a motel, tourist camp, trailer park, resort,
35 hunting camp, auto court, labor camp, penal or correctional camp
36 and ~~does~~ do not include a *licensed* child care institution or
37 home-finding agency.

38 (c) The term “organized camp” or “organized day camp” also
39 does not include any charitable or recreational organization that

1 complies with the rules and regulations for recreational trailer
2 parks.

3 SEC. 4. Section 18897.8 is added to the Health and Safety
4 Code, to read:

5 18897.8. An organized day camp shall develop a written
6 operating plan and file the plan with the local health officer at least
7 30 days prior to operation. The local health officer shall
8 acknowledge receipt of the operating plan within 30 days.

9 SEC. 5. Section 18897.9 is added to the Health and Safety
10 Code, to read:

11 18897.9. In order to maintain its exempt status from sales and
12 use taxes on meals and food products, an organized camp shall
13 meet all of the following requirements:

14 (a) Conduct regular programs or classes.

15 (b) Implement a required attendance policy.

16 (c) Hire experienced or qualified instructors or individuals
17 working under the supervision of such an instructor.

18 SEC. 6. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.